

REMARKS

This paper amends the Specification to clarify the insertion of sequence identification numbers and correct minor errors in the table numbering. Applicants submit that, with this amendment, the case is in condition for appeal.

Applicants take issue with the Advisory Action of March 18, 2008. First, with respect to the Specification amendments requested by the Office and made herewith, Applicants submit that the amendments were unnecessary and the Amendment of September 20, 1999 is clear and unambiguous.

Second, Applicants take issue with the Examiner's allegation that the Appeal Brief filed December 10, 2007 is deficient for failing to comply with 37 C.F.R. 41.37(c)(1)(v). The Examiner alleges that a reference to the brief summary of the invention is not considered adequate to map all of the features of the claim. However, the Examiner has provided no authority for this objection and as not identified any single element not referenced and described in the cited support. Notwithstanding the foregoing, Applicants enclose herewith a replacement Appeal Brief including an identification of the claimed subject matter in the Detailed Description section of the specification and in the Examples.

Applicants hereby reserve the right to petition for patent term adjustment based on the impropriety of the Advisory Action mailed March 18, 2008.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under

37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 04/17/2008

By Barry Wilson

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

Richard J. Warburg, Reg. No. 32,327
By Barry Wilson, Reg. No. 39,431
Attorney for Applicant